

Application No. 10/020,707
Supplemental Petition dated August 25, 2004

REMARKS

This is a supplemental document to the February 4, 2004 Petition To Accept An Unintentionally Delayed Claim Under 35 U.S.C. 120, 121, and/or 365(c) For The Benefit Of A Prior-Filed Application is being filed under 37 U.S.C. 1.78(a)(3).

Applicants have amended the specification so that proper priority is claimed. Submitted simultaneously herewith is a Petition To Accept An Unintentionally Delayed Claim Under 35 U.S.C. 120, 121, and/or 365(c) For The Benefit Of A Prior-Filed Application is being filed under 37 U.S.C. 1.78(a)(3) such that PCT Application No. PCT/US01/24017 is properly claimed as a continuation of U.S. Patent Application No. 09/895,060 and claims priority to U.S. Provisional Patent Application No. 60/221,716.


Applicants note that the amendments submitted above amend the version of the specification submitted on February 4, 2004 that, in turn, is based on the version submitted as a Preliminary Amendment on November 25, 2002 (and received on November 29, 2002). On November 10, 2003, as evidence of the previous filing, applicants submitted a true copy of the November 25, 2002 Preliminary Amendment along with a copy of the return receipt postcard showing the document as being received on November 29, 2002. It is applicants' understanding that the November 25, 2002 Preliminary Amendment is not noted in the PAIR system as being received on November 29, 2002, but rather as being received on November 10, 2003. Based on the previously submitted evidence (a copy of which is attached hereto), applicants respectfully submit (and petition under 1.181 if necessary) that the Preliminary Amendment mailed on November 25, 2002 was received by the PTO on November 29, 2002 and that it was in proper format based on the rules applicable at that time.

The entire delay between the date the claim was due under paragraph 37 U.S.C. 1.78(a)(2)(ii) to and the date the claim was filed was unintentional.

Please charge Deposit Account No. 50-2115 for any additional fees which may be required.

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Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Karen Oster", is written over a horizontal line.

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